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GOOGLE LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11
12 FEDERAL TRADE COMMISSION,

13 Plaintiff,

14 v.

15 MICROSOFT CORPORATION, et al.,

16 Defendants.
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Case No. 3:23-cv-02880-JSC

**NON-PARTY GOOGLE LLC'S
STATEMENT IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PROTECTIVE ORDER**

The Honorable Jacqueline Scott Corley

1 Non-Party Google LLC (“Google”) respectfully submits this statement in support of
2 Plaintiff Federal Trade Commission’s (“FTC”) Motion for Protective Order (ECF 112). For the
3 reasons set forth in Non-Party Sony Interactive Entertainment LLC’s Statement In Support of
4 Plaintiff’s Motion for Protective Order (ECF 141), the Protective Order in this case should not
5 permit Defendants’ in-house counsel access to Google’s highly-sensitive and confidential
6 commercial information, which Google produced in the related administrative proceeding, *In the*
7 *Matter of Microsoft/Activision Blizzard*, FTC Docket No. 9412. Google produced its confidential
8 information in reliance on a Protective Order that specifically protected against such access by in-
9 house counsel. There is no justification for Defendants’ attempt to eliminate that protection on the
10 eve of an evidentiary hearing. Accordingly, the FTC’s Motion for Protective Order should be
11 granted.

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13 Respectfully submitted,

14 Dated: June 21, 2023

VINSON & ELKINS LLP

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16 By: /s/ Dylan I. Ballard

17 Dylan I. Ballard

18 *Attorneys for Non-Party*
19 GOOGLE LLC